

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

ANTOINE GORUM, a.k.a. RONALD  
CLARK,

Plaintiff,

vs.

JAMES G. COX, et al.,

Defendants.

Case No. 2:13-cv-01412-KJD-GWF

**ORDER**

Before the court are plaintiff's application to proceed in forma pauperis (#2), his civil rights complaint pursuant to 42 U.S.C. § 1983, and his motion to amend civil complaint (#15). The court will defer ruling on the application (#2). The court has reviewed the complaint and the proposed amended complaint. Plaintiff will need to submit a concise amended complaint.

Plaintiff's complaint is rambling, repetitive, and disorganized. The section titled "Nature of the case," which is intended to give a brief summary of the case, is more than 30 pages. The entire complaint, not counting exhibits, is 144 pages. Plaintiff appears to complain about his safety, medical care, and food poisoning. There might be other serious allegations in the complaint. However, plaintiff has not provided "a short and plain statement of the claim showing that the [he] is entitled to relief," nor are his allegations "simple, concise, and direct." Fed. R. Civ. P. 8(a), 8(d)(1)). The Court need not hunt through the complaint to find those few allegations that might state a claim. McHenry v. Renne, 84 F.3d 1172, 1177-79 (9th Cir. 1996). Instead, plaintiff needs to submit a complaint that satisfies Rule 8.

Plaintiff has submitted two ex parte motions for appointment of counsel (#6, #9).

1 There is no constitutional right to appointed counsel in a § 1983 action. However, in  
2 “exceptional circumstances,” a district court may appoint counsel for indigent civil litigants  
3 pursuant to 28 U.S.C. § 1915[(e)(1)]. To decide whether these exceptional circumstances  
4 exist, a district court must evaluate both the likelihood of success on the merits and the  
5 ability of the petitioner to articulate his claims pro se in light of the complexity of the legal  
6 issues involved.

7 Rand v. Rowland, 113 F.3d 1520, 1525 (9th Cir. 1997) (internal quotations and citations omitted),  
8 withdrawn on other grounds, 154 F.3d 952, 954 n.1 (9th Cir. 1998) (en banc). The court finds that  
9 exceptional circumstances do not exist in this case, and the court denies the motion.

10 The court’s directive that plaintiff file a concise amended complaint makes plaintiff’s other  
11 motions (#3, #5, #10, #11, #17, #18, #19, #20) moot.

12 IT IS THEREFORE ORDERED that a ruling on the application to proceed in forma  
13 pauperis (#2) is **DEFERRED**.

14 IT IS FURTHER ORDERED that plaintiff’s motion to amend civil complaint (#15) is  
15 **DENIED**.

16 IT IS FURTHER ORDERED that the complaint is **DISMISSED** for non-compliance with  
17 Rule 8 of the Federal Rules of Civil Procedure, with leave to amend. The clerk shall send to  
18 plaintiff a civil rights complaint form with instructions. Plaintiff will have thirty (30) days from the  
19 date that this order is entered to submit his amended complaint, if he believes that he can correct the  
20 noted deficiencies. Failure to comply with this order will result in the dismissal of this action.

21 IT IS FURTHER ORDERED that plaintiff shall clearly title the amended complaint as such  
22 by placing the word “AMENDED” immediately above “Civil Rights Complaint Pursuant to 42  
23 U.S.C. § 1983” on page 1 in the caption, and plaintiff shall place the case number, 2:13-cv-01412-  
24 KJD-GWF, above the word “AMENDED.”

25 IT IS FURTHER ORDERED that plaintiff’s ex parte motions for appointment of counsel  
26 (#6, #9) are **DENIED**.

27 ///

28 ///

///

///

1 IT IS FURTHER ORDERED that plaintiff's other motions (#3, #5, #10, #11, #17, #18, #19,  
2 #20) are **DENIED** as moot.

3 DATED: December 26, 2013

4 

5  
6 KENT J. DAWSON  
United States District Judge